

Metropolitan Water Reclamation District of Greater Chicago

*100 East Erie Street
Chicago, IL 60611*



Regular Board Meeting Minutes

Thursday, November 21, 2013

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Vice-President Barbara J. McGowan, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Chairman of Finance Mariyana T. Spyropoulos, Commissioner Kari K. Steele, Commissioner Patrick D. Thompson, President Kathleen Therese Meany

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.*
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.*
- 3. Items removed from the Consent Agenda are considered separately.*
- 4. One roll call vote is taken to cover all Consent Agenda Items.*

Call Meeting to Order

President Kathleen Therese Meany presiding, called the meeting to order at 10:00 a.m.

Rollcall

Present: 9 - Michael A. Alvarez; Frank Avila; Barbara J. McGowan; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; Kari K. Steele; Patrick D. Thompson; and Kathleen Therese Meany

Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Frank Avila, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

A motion was made by Frank Avila, seconded by Debra Shore, that the minutes from the special meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Mariyana T. Spyropoulos, seconded by Frank Avila, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 12:00 p.m. President Kathleen Therese Meany reconvened the regular board meeting to order

Procurement Committee**Report**

- 1 [13-1398](#) Report on advertisement of Request for Proposal 14-RFP-07 Financial Advisory Services Related to the District Financing Program for a three-year period, estimated cost \$160,000.00, Account 101-11000-601170, Requisition 1369669

Published and Filed

- 2 [13-1399](#) Report on advertisement of Request for Proposal 14-RFP-08 Bond Counsel and Underwriter's Counsel Related to the District Financing Program for a three-year period, estimated cost \$195,000.00, Account 101-11000-601170, Requisition 1369670

Published and Filed

- 3 [13-1405](#) Report of bid opening of Tuesday, October 29, 2013

Published and Filed

- 4 [13-1442](#) Report on rejection of proposals for 13-RFP-08, Economic Advisor for Renewable Energy Projects, estimated cost \$90,000.00

Published and Filed

- 5 [13-1450](#) Procurement and Materials Management Department - 2012 Annual Report

Attachments: [P&MM 2012 Annual Report.pdf](#)

Published and Filed

Authorization

- 6 [13-1418](#) Authorization to amend Board Order of November 7, 2013, regarding Report of Bid Opening of Tuesday, October 15, 2013, Agenda Item No. 2, File No. 13-1335

Approved

- 7 [13-1433](#) Authorization to exercise an option to extend and amend agreement with MidAmerican Energy Company for Contract 11-RFP-17 Supply of Electricity, for up to an additional two years, 2015 and 2016, subject to the District obtaining an acceptable price, at the current or lower contracted price, for an amount not to exceed \$0.03676 per kWh RTC, Accounts 101-15000/67000/68000/69000-612150

Approved

- 8 [13-1435](#) Authorization to enter into an agreement with a successful Proposer(s) for the Request for Proposal (RFP) 12-RFP-14 Supply of Electricity, Accounts 101-15000/67000/68000/69000-612150

Approved

- 9 [13-1396](#) Authorization to amend Board Order of August 29, 2013, authorizing the acceptance of the initial annual rental bid and to enter into a 39-year lease for Contract 13-360-12 with the Roseland Little League Baseball Organization on approximately 2.66 acres of improved real estate located at 12483 South Michigan Avenue in Chicago, Illinois, to operate and maintain little league baseball fields for an initial annual rent of \$2,500.00 (*Deferred from the November 7, 2013 Board Meeting*)

Deleted by the Executive Director

A motion was made by Mariyana T. Spyropoulos, seconded by Barbara J. McGowan, authorizing the Executive Director to delete this item. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Authority to Advertise

- 10 [13-1404](#)** Authority to advertise Contract 14-002-11 Furnish and Deliver Cylinder Gases and Bulk Liquid Argon to Various Locations for a One (1) Year Period, estimated cost \$41,000.00, Account 101-20000-623840

Approved

- 11 [13-1406](#)** Authority to advertise Contract 14-012-11 Furnish and Deliver Paint, Brushes, Solvents and Stains to Various Locations for a One (1) Year Period, estimated cost \$39,000.00, Account 101-20000-623190

Approved

- 12 [13-1410](#)** Authority to advertise Contract 14-627-11 Repairs to Air Compressors and Air Dryers at the Calumet and O'Brien Water Reclamation Plants, estimated cost \$135,000.00, Accounts 101-67000/68000-612650, Requisitions 1358232 and 1359794

Approved

- 13 [13-1427](#)** Authority to advertise Contract 14-692-11 Utilization and Transportation of Air Dried Biosolids From LASMA and CALSMA, estimated cost \$5,860,000.00, Account 101-66000-612520, Requisition 1364699

Approved

- 14 [13-1429](#)** Authority to advertise Contract 14-904-11 Furnish, Deliver and Exchange PLC and VFD Parts to the Stickney Water Reclamation Plant, estimated cost \$90,000.00, Account 101-69000-623070, Requisition 1364702

Approved

- 15 [13-1430](#)** Authority to advertise Contract 14-602-11 Furnishing and Delivering Chain, Sprockets and Appurtenances to Various Service Areas, estimated cost \$716,300.00, Account 101-67000/69000-623030/623270, Requisitions 1367964, 1367572

Approved

Issue Purchase Order

- 16 [13-1436](#)** Issue purchase order to System Solutions, Inc., to Furnish and Deliver VMware Support and Subscription, in an amount not to exceed \$21,613.00, Account 101-27000-612820, Requisition 1363458

Approved

- 17 [13-1437](#)** Issue purchase order and enter into an agreement with the Water Environment Federation (WEF), to Provide Services for a Third-Party Verification Audit for the District's Environmental Management System (EMS) for Biosolids, in an amount not to exceed \$103,783.00, Account 101-66000-601170, Requisition 1365314

Approved

- 18 [13-1438](#)** Issue purchase orders to Boerger LLC, to Furnish and Deliver Boerger Pump Parts to the Stickney Water Reclamation Plant, in a total amount not to exceed \$90,000.00, Account 101-69000-623270

Approved

- 19 [13-1445](#)** Issue a purchase order to the Illinois Institute of Technology , pursuant to the terms and conditions of Master Agreement 11-RFP-03, to provide two, four and a half-day seminars on Basic and Advanced Protective Relay Maintenance , in a total amount not to exceed \$44,828.00, Account 101-69000-601100, Requisition 1369626

Approved

- 20 [13-1446](#)** Issue purchase order for Contract 13-804-21, Furnish and Deliver Cathodic Protection System Parts to the Calumet Water Reclamation Plant, to Cathodic Protection Management, Inc., in an amount not to exceed \$114,032.00, Account 201-50000-634650, Requisition 1364065

Approved

- 21 [13-1447](#)** Issue purchase order and enter into an agreement for Contract 13-RFP-12 Deferred Compensation Investment Consulting and Administrator Selection Services with Segal Rogerscasey for a three-year period in an amount not to exceed \$152,500.00, Account 101-25000-601170, Requisition 1361465

Approved

Increase Purchase Order/Change Order

- 22 [13-1403](#)** Authority to increase purchase order and amend the agreement with LeasePlan USA, Inc., for Contract 11-RFP-19, Fleet Vehicle Management Services, in an amount of \$180,000.00 from an amount of \$1,071,132.00, to an amount not to exceed \$1,251,132.00, Accounts 101-15000-612080, 612860, Purchase Order 3070364

Attachments: [BTL attachment PO 3070364.pdf](#)

Approved

- 23** [13-1413](#) Authority to increase Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant, to McHugh Construction in an amount of \$5,929.48, from an amount of \$165,942,081.88, to an amount not to exceed \$165,948,011.36, Account 401-50000-645650, Purchase Order 5001115

Attachments: [CO 09-176-3P.pdf](#)

Approved

- 24** [13-1414](#) Authority to increase Contract 04-203-4F Final Reservoir Preparation, Thornton Composite Reservoir, Calumet Service Area, to Walsh/II in One, Joint Venture in an amount of \$15,531.10, from an amount of \$50,903,264.54, to an amount not to exceed \$50,918,795.64, Account 401-50000-645600, Purchase Order 5001224

Attachments: [CO 04-203-4F.pdf](#)

Approved

- 25** [13-1415](#) Authority to decrease purchase order and amend the agreement with Donahue and Associates, Inc., for professional services in connection with the vulnerability and risk assessment study for MWRDGC pumping stations in an amount of \$118,437.32, from an amount of \$1,537,649.00, to an amount not to exceed \$1,419,211.68, Account 401-50000-601410, Purchase Order 3064523

Approved

- 26** [13-1423](#) Authority to increase Contract 12-646-51 Small Streams Maintenance in Cook County, Illinois, Group A, to J & L Contractors, Inc., in an amount of \$200,000.00 from an amount of \$1,947,873.00 to an amount not to exceed \$2,147,873.00, Account 501-50000-612620 , Purchase Order 5001372

Attachments: [12-646-51 103113.pdf](#)

Approved

- 27** [13-1424](#) Authority to decrease Contract 12-646-51 Small Streams Maintenance in Cook County, Illinois, Group B, to Thornton Equipment Services, Inc., in an amount of \$200,000.00 from an amount of \$2,137,991.00 to an amount not to exceed \$1,937,991.00, Account 501-50000-612620, Purchase Order 5001373

Attachments: [12-646-51 103113.pdf](#)

Approved

Budget & Employment Committee

Authorization

- 28** [13-1425](#) Authority to transfer 2013 departmental appropriations in the amount of \$1,265,300.00 in the Corporate Fund

Attachments: [11.21.13 Board Transfer BF5.pdf](#)

Approved

Engineering Committee

Report

- 29** [13-1411](#) Report on change orders authorized and approved by the Director of Engineering during the month of October 2013

Attachments: [CO October.pdf](#)

Published and Filed

Authorization

- 30** [13-1412](#) Authority to make payment of \$6,375,000.00 to the U.S. Army Corps of Engineers for the non-federal sponsor's share of the costs associated with the Chicagoland Underflow Plan McCook Reservoir, Project 73-161-2H, Account 401-50000-645630

Approved

Industrial Waste & Water Pollution Committee

Report

- 31** [13-1441](#) Report on Public Notification of Significant Industrial Users Having Exemplary Compliance Records and Industrial Users Significantly Violating Pretreatment Standards or Other Requirements

Attachments: [11-21-13_SVL Exemplary - Attachment 1.pdf](#)

[11-21-13_SVL A2.pdf](#)

Published and Filed

Authorization

- 32** [13-1434](#) Authority to negotiate and execute an amendment to an intergovernmental agreement between the Fox River Water Reclamation District and the Metropolitan Water Reclamation District of Greater Chicago to address requirements pursuant to the United States Environmental Protection Agency's pretreatment program audit

Attachments: [11-21-13_FRWRD.pdf](#)

Approved

Judiciary Committee

Authorization

- 33 [13-1393](#) Authority to Settle MWRD v. Noon Hour Food Products, Inc., Case No. 13 L 003228, 2009-2011 User Charge Liability, by Payment in additional Amount of \$20,000.00

Approved

- 34 [13-1394](#) Authority to settle In Re: Congress Development Company d/b/a Congress Landfill (Appeal of Denial of Request for Renewal of Discharge Authorization No. 23995-4.5)

Approved

- 35 [13-1395](#) Authority to settle the Workers' Compensation Claim of Scott Bresnahan vs. MWRDGC, Claim No. 0200005316, Illinois Workers' Compensation Commission (IWCC), in the sum of \$22,438.91. Account 901-30000-601090

Approved

Maintenance & Operations Committee

Reports

- 36 [13-1448](#) Report on WEFTEC 2013 Operations Challenge

Published and Filed

Real Estate Development Committee

Authorization

- 37 [13-1400](#) Authority to issue a 6-month permit to South Suburban Mayors & Managers Association on approximately 73 acres of District real estate located at 138th and Halsted Streets in Riverdale, Illinois to perform Phase I and Phase II environmental assessments. Consideration shall be \$2,500.00

Attachments: [Map.Riverdale Site.pdf](#)

Approved

- 38 [13-1401](#) Authority to commence statutory procedures to lease approximately 5 acres of real estate located along 41st Street, south of the Main Channel and east of Central Avenue in Forest View; Main Channel Parcel 39.04

Attachments: [Map.Parcel 39.04.pdf](#)

Approved

- 39** [13-1408](#) Authority to issue a 3-year permit extension to Ford Motor Company for the continued use of District land c/k/a "Stony Island Drying Beds" for the temporary storage of new vehicles manufactured at the Ford Motor Company Assembly Plant located at 12600 S. Torrence Avenue in Chicago. Consideration shall be a monthly permit fee of \$70,400.00; said monthly fee subject to upward adjustments in accordance with the terms and conditions stated herein

Attachments: [11-21-13 Real Estate-Ford permit extension.pdf](#)

Approved

- 40** [13-1416](#) Authority to execute a Termination of Deed, Easement Agreement and Declaration of Restrictive Covenants with respect to Air Lot B at 101 E. Erie Street in Chicago, IL

Michael A. Alvarez voted abstain

Deferred by Mariyana T. Spyropoulos

- 41** [13-1417](#) Authority to commence statutory procedures to lease approximately 8 acres of District real estate located at 6400 West 41st Street in Forest View, Illinois, and known as Main Channel Parcel 38.14

Attachments: [11-21-13 Real Estate-Heartland map.pdf](#)

Approved

- 42** [13-1419](#) Authority to issue a six-month permit extension to Monarch Asphalt Company for the continued use of approximately 4.51 acres of District real estate located at 3219 Oakton street, Skokie, Illinois; North Shore Channel Parcels 6.06, 6.07 & 6.11. Consideration shall be \$108,050.58.

Attachments: [11-21-13 Real Estate-Monarch permit ext map.pdf](#)

Approved

- 43** [13-1420](#) Authority to issue an eighteen (18)-month permit to the City of Chicago on approximately 4.35 acres of District real estate located at 31st Street and Sacramento Avenue, in Chicago, Illinois and known as Main Channel Parcels 42.01 and 42.15 for municipal purposes and to perform environmental testing. Consideration shall be \$103,500.00.

Attachments: [Attachment 18-mo permit COC 11.21.13 bd.ltr..pdf](#)

Approved

- 44 13-1421** Authority to issue a 5-day permit to EnviroBusiness, Inc., d/b/a EBI Consulting on a 20' x 40' area of District real estate located at 3908 South Laramie Avenue in Stickney, Illinois to perform a Phase II environmental site investigation. Consideration shall be \$2,500.00

Attachments: [Map.3908 S. Laramie, Stickney, IL.pdf](#)

Approved

- 45 13-1422** Authority to amend Lease Agreement dated April 4, 2013, between the District and A. Block Marketing, Inc. on 22.903 acres of real estate located at 15660 Canal Bank Road in Lemont, Illinois and known as Main Channel Parcel 23.03 to allow for the sale, storage and distribution of additional bulk materials. Consideration shall be a document preparation fee of \$2,500.00

Attachments: [Map.Parcel 23.03.pdf](#)

Approved

- 46 13-1428** Authority to issue a 4-year permit extension to Ashland, Inc. to continue to access, monitor, repair, and remove monitoring wells on District land located between the Chicago Sanitary and Ship Canal and the DesPlaines River (LASMA) located in Willow Springs, Illinois. Consideration shall be an annual fee of \$2,500.00.

Attachments: [Attach 4-yr. permit Ashland_11.21.13 bd meeting.pdf](#)

Approved

Miscellaneous and New Business

Memorial Resolution

- 47 13-1407** MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Nicole Krystal Williams

Adopted

Additional Agenda Items

- 48 13-1451** Authority to increase purchase order under the City of Chicago Joint Purchasing Contract 26235, to BCR, LLC Automotive Group, D.B.A. Roesch Ford, to Furnish and Deliver seven Ford Interceptor Police Sports Utility Vehicles, in an amount of \$42,917.00, from an amount of \$180,544.00, to an amount not to exceed \$223,461.00, Account 201-50000-634860, Purchase Order 3076940.

Approved

Approval of the Consent Agenda with the exception of Items: 9 and 40

A motion was made by Frank Avila, seconded by Barbara J. McGowan, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Meeting Summary

Speakers

David St. Pierre, Executive Director, congratulated Ed Staudacher, John Conry, Josh Filler, Matt Jurjovec, Miguel Vallejo, Rich Stubing and Jim McNamara who brought back third place trophies in the WEFTEC 2013 Operations Challenge (Re: Maintenance and Operation Item #36)

George Blakemore, concerned citizen, voiced concerns (Re: Real Estate Items #40 and #43)

Summary of Requests

David St. Pierre

1. *Debra Shore requested that more information be included in the Board transmittal Letter (Re: Procurement Item #1 and #2)*
2. *Frank Avila requested a list of agencies that use advisors (Re: Procurement Item #4)*
3. *Mariyana T. Spyropoulos requested a report on the savings over the past 3 years and a copy of the consultant's recommendations (Re: Procurement Item #7)*
4. *Frank Avila requested a report on the cost savings for the past 3 years (Re: Procurement Item #8)*
5. *Patrick D. Thompson requested that the estimated savings be provided (Re: Procurement Item #19)*
6. *Debra Shore suggested that the District review quarterly (Re: Procurement Item #34)*
7. *Mariyana T. Spyropoulos requested that the Board be updated as progress is made with the City of Chicago (Re: Real Estate Item #43)*
8. *Frank Avila requested the number of District staff on this site (Re: Real Estate Item #43)*
9. *Mariyana T. Spyropoulos requested information on the Petcoke site (Re: Miscellaneous and New Business)*

Thomas Granato

10. *Kari K. Steel requested a report that lists the individual violations (Re: Procurement Item #31)*
11. *Debra Shore requested a report of the findings and how much was spent on overtime and equipment (Re: Procurement Item #31)*

Study Session

A Study Session is schedule for the Committee on Finance for Monday, November 25, 2013 at 10:00 a.m. at 100 E. Erie, Chicago, Illinois. The purpose of the Study Session is to discuss OPEB Trust investment Balance and Policy Review.

Announcements

The Annual Meeting will be held on Tuesday, December 3, 2013 at 10:00 a.m., 100 East Erie, Chicago, Illinois.

Board Letter Submission Dates

The next regular board meeting is scheduled for December 5, 2013, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: November 21, 2013.

Date all agenda items are due to the Executive Director: 1:00 p.m., Tuesday, November 26, 2013.

Adjournment

A motion was made by Mariyana T. Spyropoulos, seconded by Frank Avila that when the Board adjourns, it adjourns to meet again on Thursday, December 5, 2013 at 10:00 a.m., and also move that today's meeting be adjourned. The motion carried by the following roll call vote:

/s/ Jacqueline Torres, Clerk

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this November 21, 2013, are hereby approved.

APPROVED:

/s/ Kathleen Therese Meany
President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

November 21, 2013